

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**FILED**

JUN 29 2015

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                                      No. 14-CR-30130-NJR  
                                )  
PATRICK A. NOSACK,         )  
                                )  
Defendant.                 )  
                                )

## **STIPULATION OF FACTS**

The Government and the Defendant stipulate as follows:

1. Beginning on or about the 5<sup>th</sup> day of December, 2007, and continuing until on or about the 24th day of January, 2012, in Bond, Clinton, Fayette, Franklin, Madison, Monroe, Richland, St. Clair, and Williamson Counties, within the Southern District of Illinois and elsewhere, the defendant, doing business as Vacation Max, Showcase Resorts, Timeshare Resale Advantage, LLC, TRA Las Vegas, LLC, Corporate Getaways, and Executive Vacations (“Vacation Max companies”) conducted a telemarketing timeshare resale scheme targeting timeshare owners throughout the United States, Canada, and elsewhere.

2. The Vacation Max companies falsely represented or implied that they had found buyers for the consumers' timeshare interests and solicited fees of up to several thousand dollars from each consumer in purported pre-paid closing costs and related expenses. The purported sales did not occur, promised closings did not take place, and, except for a very small number of sales at bargain basement prices, the companies did not successfully sell any consumer's

timeshare interest. A substantial portion of the fees paid to Vacation Max companies by customers were distributed to individual telemarketers; the balance was kept by the company.

3. Between January 1, 2007, and approximately January 24, 2012, the Vacation Max companies collected approximately \$11 million and victimized over 3,020 consumers in all fifty states. They victimized at least 12 consumers in at least nine of the thirty-eight (38) counties comprising the Southern District of Illinois.

4. Showcase Resorts, Vacation Max, Timeshare Resale Advantage, LLC, TRA Las Vegas, LLC, Corporate Getaways, and Executive Vacations engaged in a scam intended to deceive consumers into believing there was a market for timeshare resale and that these timeshare resale companies had corporate entities or individuals interested in buying timeshares.

5. The established, proven, and highly successful sales pitch that was used by the telemarketers contained material misrepresentations of fact and misleading statements to prospective customers, including the following:

A. Telemarketers falsely represented or implied that their companies had received substantial interest in the customer's timeshare. In most cases they falsely represented or implied that they were working with a corporation interested in acquiring timeshare units in the timeshare owner's particular resort.

B. Telemarketers falsely represented or implied that a sale would occur or that a closing was scheduled or would be concluded on the property in the near future, often sixty to ninety days hence.

C. Telemarketers falsely represented or implied that the fees they solicited were for deed and title searches, document preparation, and for similar expenses.

D. Telemarketing agents called "updaters" provided false information to complaining clients who called to check on the status of the promised sale of their timeshare unit. They variously represented to clients that additional units were being added to the consumer's timeshare in the "corporate block," otherwise misrepresented or deceptively implied that the companies indeed had an offer or buyer for the property, and offered various made up excuses as to why the closing had not taken place on their timeshare units as promised and represented.

6. **PATRICK A. NOSACK** utilized sales scripts that, in the circumstances in which they were used, created an appearance which was false and deceptive and calculated to induce a false belief as to the true facts.

7. In connection with the transactions described herein, **PATRICK A. NOSACK**, engaged in a scheme involving deceit and trickery in order to gain an unfair and dishonest advantage over victims located in the Southern District of Illinois, throughout the United States, Canada, and elsewhere.

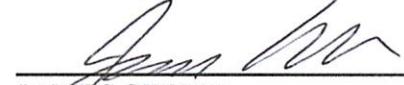
All in violation of Title 18, United States Code, Section 1349.

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PATRICK A. NOSACK  
Defendant

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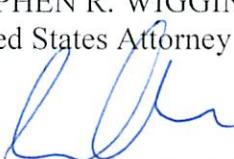


JAMES STERN  
Attorney for Defendant

Date: June 29, 2015

STEPHEN R. WIGGINTON  
United States Attorney

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WILLIAM E. COONAN  
Assistant United States Attorney

Date: June \_\_\_, 2015